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8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**

10 SANDRA HERRERA et al.,

11 Plaintiffs,

12 v.

13 PIERCE COUNTY, et al.,

14 Defendants.
15

Case No. C95-5025 (FDB)(JKA)

ORDER

16 This matter comes before the court on Plaintiffs' ripe Motion/Amended Motion to file
17 documents under seal (Dkt#159, 160), and Plaintiffs' pending Motion to Re-Open Discovery
18 (Dkt#161).

19 **1. Motion/Amended Motion to Seal:** The court has considered plaintiffs' motion and
20 amended motion to seal as well as defendants' response and plaintiffs' reply. The court has
21 viewed in camera the documents subject to the motion to seal, and considered the files and
22 records herein. The court has reviewed RCW 5.60.060 and well as CR5(g)(1) and is satisfied that
23 plaintiffs have met all requirements necessary to support the request.

Plaintiff's Motion to seal is hereby granted, subject to further order of the court.

24 **2. Motion to Re-Open Discovery:** This matter is noted for January 30. The motion
25 includes a suggestion that the court conduct a status conference. In the interim the court has been
26 notified by court-appointed monitor, Dr. Joe Goldenson, that defense counsel now insists on
27 being present during all monitoring conversations between Dr. Goldenson and the Pierce County

1 Jail Staff.

2 Accordingly, the court orders as follows:

3 1. The court hereby re-notes plaintiffs' motion to re-open discovery for oral argument
4 to be heard Wednesday, February 18, 2009, at 9:00 a.m.

5 2. Immediately thereafter the court will proceed as follows:

6 (a) hear from counsel regarding defense counsel's position on their
7 participation in discussions between jail staff and the court-appointed monitor.

8 (b) in the event plaintiffs' motion to reopen discovery is granted the court will
9 set discovery guidelines and a scheduling order.

10 Dated this 21st day of January 2009.

11 /s/ J. Kelley Arnold
12 J. Kelley Arnold
13 U.S. Magistrate Judge
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